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OF THE

MYSORE LEGISLATIVE ASSEMBLY DEBATES

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The Chair thinks that the Hon'ble Minister can answer a question in the way he thinks best. 130.

Whatever answer is given by the Government to a question, Hon'ble Members have to take it and say that the answer given is not satisfactory. But the Chair cannot compel any Hon'ble Minister to give a certain answer. 66.

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When an Hon'ble Member sought to move an —— to discuss the exercise of official influence in bye-elections to the Legislature, the Hon'ble Speaker ruled that bye-elections to the Legislative Assembly are governed by the Constitution of India and under the provisions of the Constitution the subject-matter of the motion must be deemed to fall within the Union List and no administrative responsibility of this Government can be attributed. Further, under the election rules the several allegations contained in the motion may form grounds for presenting election petitions. It would be also difficult to hold that the matter was urgent. For these reasons, the —— was ruled out of order. 32-33.

When an Hon'ble Member sought to move an —— to discuss the increase of issue prices of foodgrains and composition of rations as announced in a Press Note, dated 19th August 1950, the Hon'ble Speaker ruled that neither the increase nor revision of issue prices of foodgrains nor the composition of rations was the result of the notification of Department of Public Information, dated 19th August 1950, but the relative orders of Government on these matters were dated 29th July 1950.

The subject-matter of the motion was, therefore, not of recent occurrence. Further, Hon'ble Members would have an opportunity of debating on this very issue when the motion on Address of Thanks came up for discussion in the course of the day, much earlier than the adjournment motion could be reached. For these reasons, the motion was ruled out of order. 33.

Amendment—

On a point of order raised that an amendment to a motion, not moved at the time it was reached, lapsed and could not be taken up subsequently, the Hon'ble Speaker observed that it would not be proper to take it up now when it was not moved when called upon to do so earlier but in the special circumstances and if the House desired that the amendment should be taken up, he had no objection to permit it to be moved. 180.

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At a previous session of the Assembly a point of order was raised about the scope of debate in the State Legislature on the action of the State Government which led to the passing of orders by the President, or the Government of India. Giving a considered ruling, the Hon'ble Speaker said as follows: The principle of responsibility which has come into being since 26th January 1950 in effect means that for every act with which the Ministers are officially connected, they are responsible to the Legislature on whose vote and confidence they depend for their existence as Ministers. The test is whether in respect of the act or omission which is sought to be made the subject of debate, any Minister is officially involved as Minister. If so, the debate should be held to be admissible. That being the constitutional position, it becomes immaterial whether the recommendation of the Ministry was made at the request of the Government of India or was even offered *suo moto*. The Legislature would be perfectly in order to debate this act or omission, however made or omitted, provided it is an act of omission which is made or omitted by the Ministers as Ministers. But due regard should be had to limitations imposed by the constitution or by rules of debate barring the discussion of particular motions or subjects. Each case must be decided on facts and merits and no general rule can be laid down defining all the circumstances or conditions in which such questions can or cannot be raised. 35-37.

On a point of order being raised whether a question regarding the steps taken by the Mysore Government under the Indo-Pakistan Agreement was in order, the Hon'ble Speaker ruled that the question was about the steps that the State Government had taken in carrying out the Indo-Pakistan Agreement. The Hon'ble Member wanted to know what steps the State Government had taken under the instructions of the Government of India and as such the question was in order. 173.

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